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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,978	05/16/2007	Jorgen Poulsen	378/9-2280	8802
28147	7590	10/07/2008		
WILLIAM J. SAPONE COLEMAN SUDOL SAPONE P.C. 714 COLORADO AVENUE BRIDGE PORT, CT 06605			EXAMINER MILLER HARRIS, AMBER R	
			ART UNIT	PAPER NUMBER
			1797	
			MAIL DATE	DELIVERY MODE
			10/07/2008 PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/597,978

Applicant(s)

POULSEN, JORGEN

Examiner

AMBER MILLER HARRIS

Art Unit

1797

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 08/15/2006

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Regarding claim 1, the phrase "e.g." renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Objections

1. Claims 5-7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim *should refer to other claims in the alternative only*. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.
2. Claims 5-7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim *cannot depend from any other multiple dependent claim*. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poulsen DK 174840 in view of Miller et al. US 3,692,184.

6. For claim 1, the Poulsen reference discloses a method of manufacturing a filter element for use in connection with e.g. gas turbines and comprising a hollow outer insert in which a hollow inner insert is arranged centrally relative to the outer insert (page 8 paragraph 3), said inserts comprising end edges to which a top flange is secured at one end (page 10 paragraph 2), said inserts being stiffened by a net, characterized in that the net is made by applying a liquid mass to the outer and/or inner side of the filter element (page 8 paragraph 3). The reference does not disclose the liquid mass being applied by the means of one or more nozzles, said nozzles being movable relative to the filter element.

7. The Miller et al. reference discloses the liquid mass being applied by means of one or more nozzles (column 3, lines 31-37). Although the reference does not explicitly state the nozzles being movable relative to the filter element, it is obvious from figure 1

and column 3, lines 31-37, that the nozzles have the ability to be movable because they are mechanically operated.

8. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Poulsen reference to include the liquid mass being applied by the means of one or more nozzles, said nozzles being movable relative to the filter element (Miller et al. column 3, lines 31-37) because this allows the user to control the amount of liquid being used, as well as control the spacing of the liquid lines.

9. For claim 2, the Poulsen reference discloses, application of moulding mass in one or more rings (page 8 paragraph 3, figure 1 object 6). Although the reference does not disclose the application of connecting lines between the rings, the reference does disclose the hot melt line "can take another form" (page 9 paragraph 1). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the reference to include the connecting lines, since it was known in the art that any shape of hot melt lines would produce the same result. The reference does not disclose during the application of the moulding mass, one or more nozzles are stationary in the longitudinal direction, while the filter element rotates a number of rotations about its longitudinal axis, on which one or more nozzles rotates or oscillates with an oscillation greater than or equal to the distance between two rings and smaller than or equal to the length of the filter element.

10. The Miller et al. reference discloses the liquid mass being applied by means of one or more nozzles (column 3, lines 31-37). Although the reference does not explicitly

state one or more nozzles are stationary in the longitudinal direction, while the filter element rotates a number of rotations about its longitudinal axis, on which one or more nozzles rotate or oscillate with an oscillation greater than or equal to the distance between two rings and smaller than or equal to the length of the filter element, it is obvious from figure 1 and column 3, lines 31-37, that the nozzles have the ability to perform the above requirements, because they are mechanically operated.

11. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Poulsen reference to include during the application of the moulding mass, that one or more nozzles are stationary in the longitudinal direction, while the filter element rotates a number of rotations about its longitudinal axis, on which one or more nozzles rotate or oscillate with an oscillation greater than or equal to the distance between two rings and smaller than or equal to the length of the filter element (Miller et al. column 3, lines 31-37) because this allows the user to control the amount of liquid being used, as well as control the spacing of the liquid lines.

12. For claim 3, the Poulsen reference discloses the rings of moulding mass are applied such that they extend helically with one or more rings along the outer and/or inner surface of the filter element (figure 1 object 6).

13. For claim 4, the Poulsen reference discloses the moulding mass in rings along the outer and/or inner surface of the filter element (page 8 paragraph 3, figure 1 object 6). Although the reference does not disclose the said rings being arranged in planes essentially parallel with the end faces of the filter element, the reference does disclose

the hot melt line "can take another form" (page 9 paragraph 1). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the reference to include said rings being arranged in planes essentially parallel with the end faces of the filter element because it would produce the same result. The reference does not disclose one or more nozzles applying the moulding mass.

14. The Miller et al. reference discloses one or more nozzles applying the moulding mass (column 3, lines 31-37).

15. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Poulsen reference to include one or more nozzles applying the moulding mass (Miller et al. column 3, lines 31-37) because this allows the user to control the amount of liquid being used, as well as control the spacing of the liquid lines.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMBER MILLER HARRIS whose telephone number is (571)270-3149. The examiner can normally be reached on Mon-Thur (6:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on (571) 272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH

/Walter D. Griffin/
Supervisory Patent Examiner, Art Unit 1797